

Remarks/Arguments

Status of the Application

In the Final Office Action mailed December 4, 2007, claims 1-5, 8-9, and 11-12 were rejected. In the present response, claims 1, 5, and 11-12 have been amended. As a result, claims 1-5, 8-9, and 11-12 are pending.

Support for amending "heteroaryl" in claims 1, 11, and 12 to "five-membered heteroaryl" and "six-membered heteroaryl" can be found, for example, at page 4, lines 14-27; the Examples; and the claims as originally filed.

Support for amending the optional substituent language in claims 1, 11, and 12 to "wherein said C₅₋₁₄aryl, five-membered ring heteroaryl, and six-membered ring heteroaryl are each independently and optionally substituted with one or more groups selected from C₁₋₆alkyl, halogenated C₁₋₆alkyl, -NO₂, -CF₃, C₁₋₆ alkoxy, chloro, fluoro, bromo, and iodo" can be found, for example, in the claims as originally filed and at page 8, lines 4-16.

Support for the amendments to claim 5 can be found, for example, in the claims as originally filed and at page 8, lines 25-32.

The above amendments have been made without prejudice to Applicants right to prosecute any cancelled subject matter in a timely filed continuation application.

Rejections Under 35 U.S.C. § 112, first paragraph

Claims 1, 8-9, and 11-12 were rejected under 35 USC 112, first paragraph as allegedly "failing to comply with the enablement requirement." Applicants respectfully submit that the amendments to claims 1 and 11-12 have rendered this rejection moot. Applicants respectfully request the Examiner to withdraw this rejection.

Rejections Under 35 U.S.C. § 112, second paragraph

Claims 1, 8-9, and 11-12 were rejected under 35 USC 112, second paragraph as allegedly "being indefinite for failing to particularly point and distinctly claim the subject matter which Applicant regards as the invention." Specifically, the Examiner asserts that while Applicants have set the lower limit for the number of carbons comprising the aryl group at 5, "[a]s far as the Examiner is aware ... there are no 5-membered aromatic rings resulting in neutral compounds." Applicants, however, respectfully direct the Examiner's attention to cyclopentadiene anion, which is a 5-membered aromatic group that meets the 5-carbon definition in question. In view of the foregoing, Applicants respectfully request the Examiner to withdraw this rejection.

Objections

Claims 2-5 were objected to as dependent on a rejected base claim. Applicants respectfully submit that the amendments to claim 1 have rendered this objection moot. Accordingly, Applicants respectfully request the Examiner to withdraw this objection.

SUMMARY

In view of the foregoing amendments and remarks, Applicants respectfully submit that the application is in condition for allowance and respectfully solicit a Notice of Allowance. In order to expedite disposition of this case, the Examiner invited to contact Applicants' representative at the telephone number below to resolve any remaining issues. Although Applicants believe no fees are due, the Commissioner is hereby authorized to charge any deficiency in fees or credit any overpayment to deposit account No. 26-0166, referencing Attorney Docket No. 100886-1 US.

Respectfully submitted,

/Jacqueline M. Cohen/

Name: Jacqueline M. Cohen
Dated: February 4, 2008
Reg. No.: 51,574
Phone No.: 302-885-4269
Intellectual Property, Patents
AstraZeneca
1800 Concord Pike
Wilmington
DE-19850-5437